

**CIVIL DOCKET**  
**UNITED STATES DISTRICT COURT**

Cook  
CLASS ACTION

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
<p>WILLIAM HAMILTON, WILLIAM DUKE, JR., ALVAN N. JOHNSON, EDWARD E. BROWN, ALEX G. BERRY, HARRY DORSEY, STERLING M. SCOTT, C. G. MILLER, NATHANIEL W. ANDERSON, LaRUE A. THOMPSON, JOHN FOOTE, WILLIE JEFFERSON, JESSE JAMES JONES, CORNELIUS GRUBBS, CARL R. SCOTT, and COMMITTEE ON EQUAL EMPLOYMENT PRACTICES,</p> <p style="text-align: right;">Plaintiffs,</p> <p>vs (SPERRY VICKERS TULSA) VICKERS TULSA DIVISION OF SPERRY RAND,</p> <p>and</p> <p style="text-align: right;">Defendants,</p> <p>LOCAL LODGE 790 OF THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND AERO-SPACE WORKERS, AFL-CIO,</p> <p style="text-align: right;">Necessary Party.</p>	<p>For plaintiff:</p> <p>Gerald Kamins 1810 E. 15th St. Tulsa, OK 74104    936-2182</p> <p>John W. Walker Philip E. Kaplan 622 Pyramid Life Building Little Rock, Arkansas 72201</p> <p>Darrell Bolton 6111 East Skelly Drive, Suite 423 Tulsa, OK 74135 664-7020</p> <p>For defendant:</p> <p>M. T. Mathies, (Vickers) 584-5182 Kothe &amp; Nichols, Inc. 124 E. 4th Tulsa, Ok. 74103</p> <p>Hays Foster, (Necessary Party) Kilpatrick &amp; Foster 6803 S. Western, Suite 307 634-5447 Okla. City, Ok. 73139-73109</p>

  

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 1-1-75	Clerk	12-30-74	Kamins	15	00
		1-2-75	C/D #30		15 00
J.S. 6 mailed 7-1-76	Marshal				
Basis of Action: Class action for declaratory judgment.	Docket fee				
	Witness fees				
Action arose at:	Depositions				

~~DAUGHERTY~~  
COOK  
CLASS ACTION

FPI MI-1.3-72-100M-7199

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-30-74	1. Complaint, filed & summons issued.k	
1-6-75	Summons, ret. & filed: served Vickers Tulsa Div. of Sperry Rand by serving The Corporation Co., Okla. City; served Local Lodge 790 of International Assn of Machinists & Aero-Space Workers, AFL-CIO 1-2-75. (USM \$10.24)g	
1-8-75	MO: Ordered by the Ct. that this case is transferred to Judge Cook (FD-J)rm	
1-15-75	2. Motion of deft. for extension of time to file pleadings, filed.g	
1-15-75	3. Order, filed, granting deft. until 3-21-75 to file pleadings to the complaint. (HDC-J)g	
1-21-75	4. MOTION of Local Lodge 790 of International Association of Machinists and Aerospace Workers, named as necessary party herein, for ext. of time from 1-22-75 to 3-21-75 in which to plead or answer, filed.	
1-22-75	5/ Order allowing motion for extension of time to 3-21-75, to file answer, filed. (HDC-J) ds copies mailed.	
2-24-75	6. AMENDMENT TO COMPLAINT, filed. v -summons issued.	
3-14-75	Summons, ret. & filed. amended comp. served on Local Lodge 790 of Int'l. Assoc. of Mach. & Aerospace Workers 2-25-75; served Int'l. Assoc. of Mach. & Aerospace Workers, AFL-CIO, Wash. D. C. 3-3-75. (USM \$7.96)g	
3-14-75	7. Motion of deft. for ext. of time, filed. hm	
3-14-75	8. Order allowing motion for ext. of time to file pleadings, filed, granting deft. Vickers Tulsa, etc., until 4-21-75 to file pleadings to orig. & first amended complaint. (HDC-J)hm (copies mailed)	
3-19-75	9. Motion of Local Lodge 790 of Int'l. Assn of Machinists & Aerospace Workers, AFL-CIO for ext. of time to answer, filed. g o to C	
3-19-75	10. Order, filed, granting Local Lodge 790 until 4-21-75 to answer complaint & amended complaint. (HDC-J)g	
4-18-75	11. Motion of Deft. Sperry Vickers, for Extension of Time, filed. mm	
4-18-75	12. Order allowing motion for ext. of time to file pleadings, filed, granting deft. Vickers until 4-30-75 to file pleadings to orig. & first amended complaint. (HDC-J)hm (copies mailed)	
4-21-75	13. Motion of deft. Local Lodge for ext. of time to file pleadings, filed. hm	
4-21-75	14. Order Allowing Additional Time to File Pleadings, filed. mm cps mld.	
4-28-75	MO: Deft. Intl. Assoc. granted until 5-2-75 to ans. (HDC-J)hm	
4-30-75	15. Motion of Deft. Local Lodge 790, etc., to Strike, filed. v	
4-30-75	16. Brief in support, filed. v	
4-30-75	MO: ORDERED by the Court that Pltf. is granted 10 days from this date to respond to the Mot. to Strike filed by Deft. Local Lodge 790, etc. (HDC-J)v	
4-30-75	17. ANSWER and CROSS CLAIM OF Sperry Vickers Tulsa Deft., filed. jj	
5-2-75	18. Separate ans. of deft. Int'l Assoc. of Machinists & Aerospace Workers filed hm (Leave granted to file out of time.-HDC-J)	

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-15-75	19. Response to Motion to Strike and For Leave to File Answer Out of Time, filed. lm	
5-22-75	20. Notice by defs. to take several depositions on 5/27/75 at 9:00 a.m., filed. rm	
5-23-75	21. Ans. of deft. Local Lodge 790 of Intern. Assoc. of Machinists, etc. to cross claim of deft. Sperry-Vickers Tulsa, filed. hm	
5-23-75	22. Ans. of deft. Intern. Assoc. of Machinists, etc. to cross claim of deft. Sperry-Vickers, filed. hm	
6-3-75	23. Joint motion of Sperry Vickers, Intl. Assn. of Machinists and 790, to require attorney for pltfs. to make discovery, filed. rm	
6-3-75	24. Brief in support of joint motion to require discovery, filed. rm	
6-3-75	25. Certificate of service of above motion & brief, filed. rm	
6-3-75	26. Pltfs' first interrogs to Sperry Rand, filed. g	
6-4-75	MO: Ordered that joint motion of Sperry Vickers, Intl. Assn. of Machinists & 790, to require atty. for pltfs. to make discovery is referred to Mag. Bradford for report and recommendation; said hearing is set 6-9-75 at 10:30 a.m. (HDC-J & MLB-MAG)hm (notices mailed)	
6-5-75	Deposition of Edward E. Brown on behalf of deft. Vickers, filed. (\$30.00)g	
6-6-75	27. Pltfs' objection to motion to require atty. for pltfs. to make discovery, filed. hm	
6-6-75	28. Pltfs' objection to hearing before Magistrate, filed. hm	
6-6-75	MO: Ordered that pltfs' objection to hearing before Magistrate is overruled, & the order setting the hearing before the Mag. for 6-9-75 at 10:30 a.m. remains in effect; further ordered that the original setting for hearing of the matter before Judge Cook on 7-2-75 is stricken. (HDC-J)hm (letter written)	
6-9-75	MO: Hearing held before Mag. on joint motion of defts. to require atty. for pltfs. to make discovery. Statements made. Parties agree to the continuation of their depositions & advise the Court they can and will be conducted without the necessity of supervision; thereby motion moot. (MLB-Mag)hm	
7-3-75	Deposition of <u>Walter R. Block</u> , on behalf of the Defts, taken before Frank L. Peterson, CSR on 6-2-75 W/fees of \$48.00 pd by the Deft., filed. mm	
7-3-75	Deposition of <u>Cornelius Grubbs</u> on behalf of the Defts taken before Frank L. Peterson, CSR on 6-2-75 W/fees of \$49.50 pd by the Defts, filed. mm	
7-3-75	Deposition of <u>Richard Housley</u> on behalf of the Defts taken before Frank L. Peterson, CSR, on 6-2-75 W/fees of \$27.00 pd by the Defts, filed. mm	

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-3-75	Deposition of <u>Willie Jefferson</u> on behalf of the Defts taken before Frank L. Peterson, CSR, on 6-2-75 W/fees of \$94.50, filed. mm	
7-3-75	Deposition of <u>Ted Manore</u> on behalf of the defts taken before Frank L. Peterson, Csr on 6-2-75 W/fees pf \$27.00, filed. mm	
7-3-75	Deposition of <u>Alfred White</u> on behalf of the defts. taken before Frank L. Peterson, CSR on 6-2-75 W/fees of \$24.00, filed. mm	
7-3-75	Deposition of <u>C. G. Miller</u> on behalf of the defts. taken before Frank L. Peterson, CSR on 6-2-75 W/fees of \$82.00, filed. mm	
7-3-75	Deposition of <u>Harry Dexter Dorsey</u> on behalf of the defts. taken before Frank L. Peterson/on 6-2-75 W/fees of \$39.00, filed. mm CSR	
7-3-75	Deposition of <u>William Duke, Jr.</u> and <u>Dillard Craven</u> taken on behalf of the debt Vickers pursuant to Notice on 6-3-75 before Evelyn E. Rutherford, LSR, W/Fees of \$133.50, filed. mm	
7-17-75	Deposition of Alvan N. Johnson, on behalf of def. Vickers, on 6/25/75, filed. (E. Rutherford-CSR)(\$52.50 pd by def.)rm	
7-17-75	Deposition of Nathaniel William Anderson, on behalf of def. Vickers, on 6/25/75, filed. (E.Rutherford-CSR)(\$96 pd by def.) rm	
7-17-75	Deposition of Jesse James Jones, on behalf of def. Vickers, on 6/25/75, filed.(E.Rutherford-CSR)(\$60 pd by def.)rm	
7-17-75	Deposition of Alex G. Berry, Sr., on behalf of def. Vickers, on 6/24/75, filed.(E.Rutherford-CSR)(\$69 pd by def.)rm	
7-17-75	Deposition of LaRue A. Thompson, on behalf of def. Vickers, on 6/24/75, filed.(E.Rutherford-CSR)(\$103.50 pd by def.)rm	
7-17-75	Deposition of Edward E. Brown, on behalf of def. Vickers, on 6/24/75, filed.(E. Rutherford-CSR)(\$99 pd by def)rm	
7-17-75	Deposition of William M. Hamilton, on behalf of def. Vickers, on 6/25/75, filed.(E.Rutherford-CSR)(\$52.50 pd by def.)rm	
7-17-75	Deposition of Sterling Scott, on behalf of def. Vickers, on 6/25/75, filed.(E.Rutherford-CSR)(\$34.50 pd by def)rm	
7-17-75	29. Motion of def. Sperry Vickers for protective order & objs. to pltf. first interrogatories, filed.rm	
7-17-75	30. Memo in support of objs. to pltf. first interrogatories, filed. rm	
7-17-75	MO: Ordered by the Ct. that pltf. respond to def. mo/protective order within 10 days from this date.(HDC-J)rm-ltr.	
7-28-75	31. Notice of filing of depositions, filed. hm	
7-29-75	32. Pltf's Answer to motion for protective order & objections to Pltfs' first interrogatories, filed.	
7-29-75	33. Memo. in support of Answer to motion for Protective order & objections to Pltfs' 1st interrog., filed. b	
7-31-75	34. Order, filed, overruling motion of debt. to strike the Committee on Equal Employment Practices as a party pltf. (HDC-J)g <i>made</i>	

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-3-75 35	Order, filed, overruling mot. for protective order and objections to pltfs' first interrogatories. (HDC-J)g cpies mailed.	
9-22-75	36. Mtn. for Stay Order, filed by Deft.jj of Deft.	
9-22-75	37. Request/for Certification of Question for Appeal, filed.jj	
9-22-75	38. Memo. in Support of Request for Certification of Question for Appeal, filed.jj	
9-24-75	39. Order Overruling Request for Certification of Questions for Appeal & Motion for Stay and, deft. Sperry Vickers is granted 5 days to file Answers to plfts 1st Interrogatories, filed. (HDC-J)cps mld mm	
9-25-75	40. Substituted Answers to Pltfs' 1st Interrogatories, as Amended filed by Sperry Vickers Tulsa, Deft.jj	
10-8-75 10-31	MO: Case set for pre-trial hearing 11-10-75 at 2:15 P.M. (HDC-J)hm 41 Answer of deft. Local Lodge 790 of Int. Assn. of Machinists & Aerospace Workers, AFL-CIO, filed with leave of Court. g	
11-10	MO: Pre-trial hearing held. Statements made. Parties to present to Court by 12-19-75 those iems agreed-to by parties, including question of class-action, & those not agreed-to, in pre-trial order. Case to be set for non-jury trial. (HDC-J)hm	
12-19	42. Pre-trial order, filed. (HDC-J)hm	
1976 2-9	MO: Case set for N/J trial on 5-3-76 at 10:00 a.m. (HDC-J)ph notices mailed.	
2-25 43	Pltf's motion to determine and certify as a class action, filed.lm	
2-25	44. Pltf's motion to compel further answers to defts' substituted answers to pltfs' 1st interros., as amended, filed. lm	
2-25	45. Memo. in support of motion to determine and certify as a class action and in support of motion to compel further answers to interrogatories, filed. lm	
2-25	MO: It is ordered by the Court that defts' are given ten days from this date to file a response to pltf's memo. in support of motion to determine and certify as a class action and in support of motion to compel further answers to interros. (HDC-J)lm ltrs mld.	
3-2	46. Request for ext. of time til 3-15-76 for deft. Vickers to respond to pltfs' mot. to certify the class & to compel ans. to interrog, filed.k o to j	
3-4	47. Pltfs' applic. for continuance, filed. (from N/J trial 5-3-76)hm	
3-5	48. Order, filed granting deft. Vickers til 3-15-76 to respond to pltfs' mot. to certify class & to compel ans. to interrog. (HDC-J)k	
3-8	49. Motion of defts. Local 790 & Intnt'l Assoc. of Machinists, etc. for enlargement of time to reply to mo/certify the class, filed. hm	

(over)

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-10-76	50. Order, filed, that n/j trial set 5-3-76 is continued to a date to be set by the Court. (HDC-J)hm (copies mailed)	
3-12	MO: Case set for N/J trial 9-27-76 at 10:00 a.m. (HDC-J)hm	
3-15	51. Response to Mot. to Certify Class Action, fld. by Sperry Vickers Tulsa. v	
3-15	52. Suppl. ans. to Pltfs.' 1st Interrogs., As Amended, fld. by Sperry Vickers. v	
3-15	53. Response to Pltfs.' Mot. to Compel further answers to interrogs., fld. by Sperry Vickers. v	
3-16	MO: Upon request of Mr. D. Hays Foster, atty. for local and international defts, the motion for enlargement of time of said defts. filed on 3-8-76 is hereby withdrawn. (HDC-J)hm	
4-30	MO: Conference held in chambers re consent decree. All parties present, except Hays Foster, counsel for the union. Court sets hearing on consent decree for 6-9-76 at 1:30 p.m. Any objections thereto to be filed by 6-1. Notices to be made by publication in Legal News & in The Eagle for 4 weeks. Consent decree as modified to be submitted to Court by 5-3-76. Special order to be prepared to the Union directing any objections to be filed by 5-21 and advising of the hearing date. (HDC-J)hm	
5-5	54. Consent Decree, filed, together with: Appendix A - revised Article 16; Appendix B - (Sealed by the Court);and form of Release and Settlement of Claim; Appendix C - Notice of proposed Settlement of Class Action,(HDC-J)rm	
5-5	55. Order, filed, tentatively approving Consent Decree; that entry of such Decree is wo/prej. to any cause by pltf. & def. Sperry Vickers against Def. Unions; that def. Sperry Vickers file by 6/8/76 a list of all persons notices were mailed & all proofs of publication. (HDC-J)rm	
5-10	56. Request of def. Sperry Vickers for clarification of Notice to Class, filed. rm	
5-10	MO: There being no objections, it is Ordered by the Court that the request for clarification filed by def. Sperry Vickers is hereby granted and the Notice to the Class shall be published in the Tulsa County Daily Legal News twice per week. (HDC-J)rm-letter	
6-8	57. Certificates of individual notice and publication notice regarding consent decree, filed by Sperry Vickers Tulsa. ph	
6-9	MO: Case called for hearing on objections to consent decree. Deft. states proper notice has been given of hearing. Objections made by Messrs. Cravens, Thompson, Block & Rev. Hamilton. Court approves consent decree as amended and Ms. Matthies to prepare corrected final consent decree w/agreed changes by 6-16. (HDC-J)hm	
6-14	58. Order, filed, <sup>and entered</sup> that Consent Decree is approved, as modified, and is entered as an order of this Ct. effective 6-21-76. (HDC-J)ph cps mld	
6-22	59. Motion of def. Local 790 to stay in part execution of consent decree, filed. rm (CONTD)	

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-22-76	60 Brief of def. Local 790 in support of mo/stay, filed. rm	
6-22	MO: Ordered by the Court that plaintiff and remaining defs. are granted 10 days in which to respond to mo/stay of def. Local 790. (HDC-J)rm	
7-7	61. deft. Vickers Tulsa Division of Sperry Rand, motion to extend time for resp. to mo/stay, filed. ph <i>obg</i>	letter
7-12	62. Order, filed that deft. Vickers Tulsa Division of Sperry Rand be granted until 8-10-76 to file resp. to mo/stay in part execution of Consent Decree of deft., Local Lodge 790. (HDC-J)ph cps mld	
7-27	63. Deft's Vickers Tulsa Division of Sperry Rand, motion to strike the motion to stay in part execution of consent decree, filed by D. Hays Foster on behalf of Local Lodge 790 of the International Asso of Machinists and Aerospace Workers, et al, filed. ph w/affidavit of Mary T. Matthies.	
7-28	MO: Case set for hearing on mo/deft. Local 790 to stay in part execution of consent decree; and mo/deft. Sperry Rand to Strike the motion to stay in part execution of consent decree, filed by D. Hays Foster on behalf of Local Lodge 790, at 1:30 p.m. on 8-6-76. (HDC-J)ph notices mailed; Mr. Foster notified also by phone.	
7-29	64. Pltfs. resp. and opposition to motion to stay in part execution of consent decree, filed. ph w/affidavit of Darrell Bolton.	
7-30	MO: Case reset for hearing on pending motions 8-4-76 at 1:30 p.m., upon req. of Mr. Hays Foster. (HDC-J)hm	
8-4	MO: Case called for hearing on motion of deft. Local 790 to stay in part exec. of consent decree and motion of deft. Sperry Vickers to strike said motion. Parties represented. Statements made. Deft's mo/stay in part execution of consent decree overruled and motion to strike said motion moot. Mr. Kaplan makes oral request for award of expenses and fees related to this hearing and Court defers ruling on said request. (HDC-J)hm	
9-13	MO: Case set for final hearing on consent decree 9-23-76 at 12:00 noon. (HDC-J)hm	
9-23	MO: Case called for final hearing on consent decree. Statements made. Pltf. states further notice not warranted & said notice waived. Court approves supplemental consent decree with union defts. (HDC-J)hm	
9-23	65. Supplemental consent decree with union defts., filed in open court. (HDC-J)hm (copies distributed)	

DATE	PROCEEDINGS	Date Order or Judgment Noted